

Notice of Allowability

Application No.

09/356,543

Applicant(s)

BARNHART ET AL.

Examiner

Neveen Abel-Jalil

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37. CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to January 19, 2005.
2. ☒ The allowed claim(s) is/are 9,12-15 and 18-25.
3. ☒ The drawings filed on July 19, 1999 & January 29, 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 7/28/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CHARLES RONES
PRIMARY EXAMINER

DETAILED ACTION

Remarks

1. In response to the amendment filed on 19-January-2005, claims 1-8, 10-11, 16-17, and 26-30 have been cancelled. Therefore, claims 9, 12-15, and 18-25 are now pending in the application.

Reasons for Allowance

2. Claims 9, 12-15, and 18-25 are allowed over the prior art made of record.
3. The following is a statement of reasons for allowance:

The prior art of record (Resimer-U.S. Patent No. 6,154,726-and –Mayaud-U.S. Patent No. 5,845,255) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim), flagging billing code guideline changes to warn the physician to check new updated guidelines associated with the billing codes, as claimed in Independent claim 9.

Dependent claims 12-15, 18, and 23 being further limiting to the Independent claim 9, therefore, also allowed.

The prior art of record (Resimer-U.S. Patent No. 6,154,726-and –Mayaud-U.S. Patent No. 5,845,255) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim), displaying an indication of whether

each patient has been seen that day...displaying billing information for individual patients on the screen of the handheld device, as claimed in Independent claim 24.

Dependent claims 19-22, and 25 being further limiting to the Independent claim 24, therefore, also allowed.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074. The examiner can normally be reached on 8:30AM-5: 30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 571-272-4038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil
May 14, 2005


CHARLES RONES
PRIMARY EXAMINER